

### **REMARKS**

At the outset, Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Office Action dated July 2, 2004 has been received and its contents carefully reviewed.

Claims 1, 8, and 13 are hereby amended; and claim 16 is hereby canceled. Accordingly, claims 1-15, 17, and 18 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Office Action, the Examiner objected to the specification due to various informalities; rejected claims 13-16 and 18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention; and rejected claims 1-3 and 8-18 under 35 U.S.C. § 102(b) as being anticipated by Okita (U.S. Patent No. 5,747,830).

The objection to the specification due to various informalities is respectfully traversed and reconsideration is requested in view of the amendments to the claims above and in view of the following remarks.

Objecting to the specification, the Examiner stated the term “a-Sh:H” should be replaced with the term “a-Si:H.” By the present amendment, Applicant hereby amends the specification to conform to the Examiner’s suggestion and respectfully requests withdrawal of the present objection to the specification.

The objection to claims 13-16 and 18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, is respectfully traversed and reconsideration is requested.

Rejecting claim 13, the Examiner explained that the phrase “ ‘forming an insulating layer on the substrate including the scanning lines (G0-Gn)’ ... is unclear.” Applicant respectfully disagrees. However, and solely for the purpose of expediting prosecution of the present application, Applicant hereby amends claim 13 to more definitely recite the structural

relationship between the substrate, the scanning lines, and the insulating layer and respectfully request withdrawal of the present rejection of claim 13 under 35 U.S.C. § 112, second paragraph.

Rejecting claim 16, the Examiner asserted that the term “ ‘while’ is a relative term which renders the claim indefinite.” Applicant respectfully disagrees. However, and solely for the purpose of expediting prosecution of the present application, Applicant hereby cancels claim 16 and respectfully submits the present rejection of claim 16 under 35 U.S.C. § 112, second paragraph, is moot.

The rejection of claims 1-3 and 8-18 under 35 U.S.C. § 102(b) as being anticipated by Okita is respectfully traversed and reconsideration is requested.

Claim 1 is patentable over Okita in that claim 1 recites a combination of elements including, for example, “a plurality of data lines... a plurality of pixel electrodes... and a light transmission restricting layer formed beneath the pixel electrodes and between the plurality of data lines.” None of the cited references, including Okita teaches, either expressly or inherently, at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claims 2 and 3, which depend from claim 1, are also patentable over Okita.

Claim 8 is patentable over Okita in that claim 8 recites a combination of elements including, for example, “a substrate; an insulating layer on the substrate... a plurality of switching devices over the substrate... each switching device including an active layer formed on the insulating layer... a plurality of pixel electrodes over the substrate... and a light transmission restricting layer formed directly on the insulating layer and beneath the plurality of pixel electrodes.” None of the cited references, including Okita teaches, either expressly or inherently, at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claims 8-12, which depend from claim 8, are also patentable over Okita.

Claim 13 is patentable over Okita in that claim 13 recites a combination of elements including, for example, “forming an insulating layer on the substrate on which the scanning lines (G0 - Gn) are formed; forming a plurality of switching devices on the insulating layer, the forming the plurality of switching devices including forming an active layer for each of the switching devices; [and] forming a light transmission restricting layer simultaneously with the

forming of the active layer.” None of the cited references, including Okita teaches, either expressly or inherently, at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claims 14-15, 17, and 18, which depend from claim 13, are also patentable over Okita.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 30, 2004

Respectfully submitted,

By 

Kurt M. Eaton

Registration No.: 51,640

McKenna Long & Aldridge LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorneys for Applicant